

Clarke County

Planning Commission
Regular Meeting Minutes
June 6, 2014



A regular meeting of the Planning Commission of Clarke County, Virginia, was held at the Berryville/Clarke County Government Center, Berryville, Virginia, on Friday, June 6, 2014.

ATTENDANCE

George L. Ohrstrom, II, Chair; Anne Caldwell, Vice Chair; Robina Bouffault; Randy Buckley; Scott Kreider; Doug Kruhm; Frank Lee; Cliff Nelson; John Staelin; Chip Steinmetz; and Jon Turkel. No members were absent.

STAFF

Brandon Stidham, Planning Director; Jesse Russell, Zoning Administrator; and Debbie Bean, Recording Secretary.

CALLED TO ORDER

Chair Ohrstrom called the meeting to order at 9:02 a.m.

APPROVAL OF AGENDA

The Commission voted unanimously to approve the agenda as modified.

Yes: Bouffault, Buckley, Caldwell, Kreider, Kruhm, Lee, Nelson (moved), Ohrstrom, Staelin, Steinmetz, and Turkel (seconded)

No: No one

APPROVAL OF MINUTES

The Commission voted to approve the briefing meeting minutes of April 29, 2014.

Yes: Bouffault (seconded), Buckley, Caldwell (moved), Kreider, Kruhm, Nelson, Ohrstrom, Staelin, Steinmetz, and Turkel

No: No one

Abstained: Lee

The Commission voted to approve the regular meeting minutes of May 2, 2014.

Yes: Bouffault, Buckley, Caldwell (moved), Kreider, Kruhm (seconded), Nelson, Ohrstrom, Staelin, Steinmetz, and Turkel

No: No one

Abstained: Lee

Resolution of Appreciation for Tom McFillen

Chair Ohrstrom stated that Mr. McFillen was not able to attend the meeting today to receive the Resolution of Appreciation for his work on the Planning Commission. He read the Resolution of Appreciation to the Planning Commission and gave thanks to Mr. McFillen for his commitment on the Commission. He introduced Frank Lee as the new Planning Commissioner representing the Berryville

Election District. He told Mr. Lee that on behalf of the Planning Commission we want to welcome you to the Commission and we look forward to working with you.

Chair Ohrstrom called for a motion for approval of the Resolution of Appreciation for Tom McFillen.

The Commission voted unanimously to approve the Resolution of Appreciation for Tom McFillen.

Yes: Bouffault (moved), Buckley, Caldwell, Kreider, Kruhm, Lee, Nelson, Ohrstrom, Staelin, Steinmetz (seconded), and Turkel

No: No one

Subcommittee Appointments – Replacement for Tom McFillen

- a. Site Plan Subcommittee
- b. Subdivision Subcommittee
- c. Recreation Plan Subcommittee

Chair Ohrstrom stated that a replacement is needed for Tom McFillen on the Site Plan Subcommittee the Subdivision Subcommittee and the Recreation Plan Subcommittee. After discussion with Staff and the Commission it was decided that Commissioner Lee would be filling the positions on the Site Plan Subcommittee and the Subdivision Subcommittee. Mr. Stidham stated that Mr. McFillen wished to remain on the Recreation Plan Subcommittee. After discussion with Staff and the Commission, Chair Ohrstrom called for a motion.

The Commission voted unanimously for Commissioner Lee to fill the vacant positions on the Site Plan Subcommittee and the Subdivision Subcommittee.

Yes: Bouffault, Buckley, Caldwell, Kreider, Kruhm, Lee, Nelson, Ohrstrom, Staelin, Steinmetz (seconded), and Turkel (moved)

No: No one

Minor/Major Subdivisions

S-14-01, Thomas & Kristen Halsey. Request approval for a three lot Major Subdivision and Maximum Lot Size Exception for the property identified as Tax Map #12-A-5, located at 5679 Senseny Road in the White Post Election District zoned Agricultural Open-Space Conservation (AOC).

Commissioners Buckley and Steinmetz recused themselves from this request due to conflict of interest.

Mr. Russell explained this request. He said that the applicant is requesting approval for a three-lot subdivision and a maximum lot size exception. He said that the subject property contains a pre-1980 house. He stated that in accordance with County Zoning a pre-1980 house may be subdivided off and exceed the maximum lot size without Planning Commission approval. He said that access to Lot 1 containing the house has an existing private entrance and that Lot 3 proposes to have access by a private access easement. He stated that vegetation will need to be removed to a certain extent in order to get site distance. He said that VDOT has provided written approval and that although the private entrance is allowed to remain VDOT does recommend that all three lots use the private access

easement. He said that the Health Department has reviewed and approved the soils for the proposed drainfields. He stated that the surveyor has provided revised plats showing the drainfield capacity numbers. He said that the subject property is located outside of karst terrain therefore no resistivity test is required. Commissioner Caldwell asked Commissioner Bouffault (representative for White Post-Election District) if she had any comments regarding her recent site visit to the subject property. Commissioner Bouffault said that the subject property area is heavily wooded. She stated that there are some oak trees on the property that will probably need to be taken down in order to get the site distance that is needed for this proposal. After discussion with Staff and the Commission, Chair Ohrstrom asked for public comments.

There being no public comments, Chair Ohrstrom closed the public hearing and called for a motion.

The Commission voted unanimously to approve this request on condition that the applicant provides a Deed of Dedication in accordance with the County Subdivision Ordinance prior to the Zoning Administrator signing the plats.

Yes: Bouffault (moved), Caldwell, Kreider, Kruhm (seconded), Lee, Nelson, Ohrstrom, Staelin, and Turkel

No: No one

Abstained: Buckley and Steinmetz

Set Public Hearing Items

TA-14-02, Administrative Land Divisions

Mr. Stidham stated this proposed text amendment was developed by the Planning Commission in response to administrative approval of plats that took place in late 2013 depicting a series of land divisions involving parcels of at least 100 acres and boundary line adjustments. He said that approval of land divisions involving 100 acres or larger and the approval of boundary line adjustments fall under the authority of Planning Staff as subdivision agent. He stated that neither transaction constitutes a subdivision requiring review by the Commission. He said that the Commission worked on this item with Staff at the March and April briefing meetings and provided direction to Staff at the April 1 briefing meeting to focus on creating a process whereby the Commission would review these transactions in the future instead of Planning Staff. After discussion with Staff and the Commission, Chair Ohrstrom called for a motion.

The Commission voted unanimously to set public hearing on this text amendment for the next regular meeting of the Commission on July 11, 2014.

Yes: Bouffault, Buckley, Caldwell (moved), Kreider, Kruhm, Lee, Nelson, Ohrstrom, Staelin, Steinmetz, and Turkel (seconded).

No: No one

TA-14-04 Commercial Boarding Kennels and Animal Shelters

Mr. Stidham stated that this proposed text amendment was developed by the Planning Commission at the request of the Board of Supervisors (BOS). He said at the March 18, 2014 meeting of the BOS, the BOS requested the Commission to evaluate the concept of removing commercial boarding kennels, animal shelters, veterinary services, animal hospitals, and breeding kennels uses from the AOC and FOC Districts as a special use and allowing commercial boarding kennels only in the Highway

Commercial (CH) District. He said that the BOS requested that the Commission provide a formal recommendation on this request including review of the individual uses that are grouped within this category. After discussion with Staff and the Commission, Chair Ohrstrom called for a motion.

The Commission voted unanimously to set public hearing on this text amendment for the next regular meeting of the Commission on July 11, 2014.

Yes: Bouffault(moved), Buckley, Caldwell, Kreider (seconded), Kruhm, Lee, Nelson, Ohrstrom, Staelin, Steinmetz, and Turkel

No: No one

Board/Committee Reports

Board of Supervisors (John Staelin)

Commissioner Staelin stated that the BOS has discussed the potential for a government shutdown at the end of the month. He said that the Commonwealth has not approved a budget yet. He said what happens on July 1st if the budget is not approved is anybody's guess.

Sanitary Authority (John Staelin)

Commissioner Staelin said the Authority has been discussing the proposed 21-lot major subdivision in Boyce and how water will be provided to those lots.

Board of Septic & Well Appeals (John Staelin)

No report.

Board of Zoning Appeals (Anne Caldwell)

No report.

Historic Preservation Commission (Doug Kruhm)

Commissioner Kruhm stated that the Commission met on May 28, 2014 at the Camino Real for its regular meeting, which was followed by the annual awards luncheon. Commissioner Kruhm stated that the 2014 Preservation Awards were presented to:

- Tom Gilpin, Leadership Award
- Jon and Carol Joyce, Certificate of Merit for the Rehabilitation of Locke's Mill
- Matthew Mackay-Smith, Buttery in Millwood-Certificate of Merit for Rehabilitation
- Clarke County Historical Association, For the Stewardship of the Burwell Morgan Mill

Conservation Easement Authority (George Ohrstrom, II)

Chair Ohrstrom said that the annual "Thank You Reception" is being held on June 21 to thank individuals for their donations to the Conservation Easement Authority.

Other Business

Economic Development Strategic Plan (presentation by Milton Herd)

Mr. Stidham explained that the Economic Development Strategic Plan Subcommittee completed their work on May 13 and voted to recommend the draft to the Planning Commission for consideration.

He stated that Milton Herd (Herd Planning) is present today and will give a presentation of the draft Economic Development Strategic Plan.

Mr. Herd addressed the Planning Commission and gave a presentation of the Plan. He briefly went over the items in the plan that was prepared by the subcommittee. He stated that goals and strategies are what we mainly worked on with the subcommittee. He said that Clarke County is a rural jewel surrounded by intensively developing areas. He said the main purpose of this plan is to grow and diversify the tax base. He said that being close to Dulles Airport is an asset to the County. He stated that walkability is important to older and younger people which will help maintain a balanced economy. He said it is very important to foster a close collaboration between the County and the Town of Berryville. He stated that the goals for the next three years are to increase collaboration and capacity for supporting compatible economic development. Mr. Herd turned the meeting over to Mr. Stidham.

Mr. Stidham stated that the Planning Commission must hold a formal public hearing prior to taking action to recommend adoption of the draft Plan to the BOS. He said that if the Commission is ready to release the Plan for public comment, the members should discuss whether to proceed with a formal public hearing or to schedule an informal public comment session prior to conducting a formal public hearing. After discussion with Staff the Commission discussed when they would like to have the public hearing set.

The Commission voted unanimously to set the public hearing for the next regular meeting of the Planning Commission on July 11, 2014.

Yes: Bouffault, Buckley, Caldwell (moved), Kreider, Kruhm, Lee, Nelson, Ohrstrom, Staelin, Steinmetz (seconded), and Turkel.

No: No one

There being no further business to come before the Planning Commission, the meeting was adjourned at 10:09 a.m.



George L. Ohrstrom, II, Chair



Brandon Stidham, Director of Planning

Minutes prepared by Debbie Bean, Recording Secretary